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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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AZ CORP COMMISSION
DOCKET CONTROL

LORI S. DANIELS,

Complainant,

vs.

QWEST CORPORATION d/b/a CENTURYLINK
QC,

Respondent.

DOCKET NO. T-01051B-14-0389

Arizona Corporation Commission
DOCKETED

FEB 18 2015

DOCKETED BY

PROCEDURAL ORDER
(Schedules Hearing)

ORIGINAL

BY THE COMMISSION:

On November 14, 2014, Lori S. Daniels ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Formal Complaint ("Complaint") against Qwest Corporation d/b/a CenturyLink QC ("Qwest" or "Respondent"), alleging that for ten years Qwest charged her for services she did not need. The Complaint seeks relief in the form of compensation for charges paid from June 3, 2001 through August 2013 in the amount of \$17,238.48.

On December 5, 2014, Qwest filed a Motion to Dismiss ("MTD") and Answer to Formal Complaint.

On January 7, 2015, by Procedural Order, a procedural conference was scheduled for January 21, 2015, to determine the appropriate procedural schedule for this matter.

On January 21, 2015, a procedural conference was held as scheduled. Complainant appeared on her own behalf. Staff and the Company appeared through counsel. Discussions were held regarding the procedural schedule for this matter. It was determined that the parties would submit a joint filing that included possible hearing dates. Qwest also requested a declaratory ruling on whether A.R.S. §40-248(B) bars Complainant's recovery of overcharges dating back farther than

1 two years from the time the action accrued.

2 On January 28, 2015, Qwest filed a Joint Submission of Possible Hearing Dates.

3 Qwest's assertion that A.R.S. §40-248(B) bars Complainant's recovery of overcharges dating
4 back farther than two years is a disputed matter, which will be resolved after taking evidence and
5 hearing testimony in this matter. Accordingly, a hearing should be scheduled.

6 IT IS THEREFORE ORDERED that a **hearing shall be held on March 24, 2015, at 10:00**
7 **a.m.**, or as soon thereafter as is practicable, at the Commission's offices, 1200 West Washington
8 Street, Hearing Room No. 2, Phoenix, Arizona.

9 IT IS FURTHER ORDERED that **all parties shall personally appear for the hearing.**

10 IT IS FURTHER ORDERED that **Complainant's direct testimony and associated exhibits**
11 **to be presented at the hearing shall be reduced to writing and filed on or before February 27,**
12 **2015.**

13 IT IS FURTHER ORDERED that **any testimony and associated exhibits** to be presented at
14 the hearing **on behalf of Qwest in response to Complainant's direct testimony**, shall be reduced to
15 writing and filed on or before **March 13, 2015.**

16 IT IS FURTHER ORDERED that Complainant's witness(es) may provide rebuttal testimony
17 orally at the hearing.

18 IT IS FURTHER ORDERED that **any objections to testimony or exhibits shall be filed on**
19 **or before March 20, 2015.**

20 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
21 Communications) applies to this proceeding as the matter is now set for hearing.

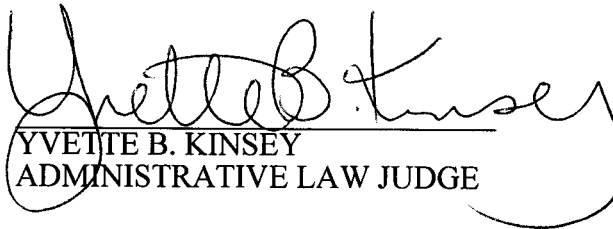
22 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
23 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

24 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
25 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
26 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
27 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
28

discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or Commission.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at the hearing.

DATED this 18th day of February, 2015.


YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 18th day of February, 2015 to:

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